

IN THE  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

KHALIL ABDUR RAHIM,  
Representative of the Estate  
of GREGORY MAY,  
MICHAEL DATES,  
and WARDELL KYLES  
Plaintiff,

vs.

MICHAEL F. SHEAHAN, Sheriff of  
Cook County, RICHARD REMUS,  
Superintendent for External  
Operations, Cook County Department  
of Corrections, ERNESTO VELASCO,  
Director, Cook County Department  
of Corrections,  
Defendants.

No. 99 C 0395

Honorable Sidney Schenkier  
Judge Presiding

DOCKETED  
FEB 7 2002

FILED  
FEB - 5 2002  
MICHAEL W. DOBBS  
CLERK, U.S. DISTRICT COURT

MOTION FOR COURT APPROVAL OR INTERIM ATTORNEY'S FEES

Plaintiffs, through their attorneys, THOMAS PETERS and KEVIN PETERS, hereby request that the Court approve an interim payment of attorney's fees. In support of this motion, Plaintiffs state:

1. Plaintiffs filed this case approximately three years ago on behalf of a class of inmates who were transferred to hospitals for medical care.

2. The case was filed pursuant to 42 U.S.C. § 1983 and, therefore, the prevailing party is entitled to an award of fees and costs.

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3. During the pendency of this case Plaintiffs prevailed when a) defendants filed a motion to dismiss, b) Defendant appealed that order to the United States Court of Appeals; and c) Defendants opposed class certification.

4. In addition, after many months of settlement negotiations, Defendants agreed to substantial changes in their policies relating to the class.

5. Those changes in policies are additional evidence that Plaintiffs have prevailed.

6. Defendants are in the process of implementing all of the changes in policy that are reflected in the "Settlement Agreement" that is being submitted for tentative approval on February 6, 2002.

7. The Settlement Agreement calls for payment of attorney's fees in the amount of \$420,000 dollars.

8. The Cook County Board has reviewed and authorized payment of fees as part of the settlement of this case.

9. The funds required for the settlement (class distribution, costs and attorney's fees) are available in a fund pending final settlement.

10. Payment of interim fees in the amount of \$200,000 dollars is warranted based on the equitable relief obtained by Plaintiff's counsel.

11. Payment of these fees also is consistent with the overall settlement plan as set forth in the Settlement Agreement.

WHEREFORE, Plaintiffs pray the Court will approve the payment of \$200,000 dollars in interim fees and direct Defendants to disburse that amount to counsel for the class from the already existing settlement fund.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Thomas Peters", written in dark ink. The signature is fluid and stylized, with a long horizontal stroke at the end.

THOMAS PETERS

KEVIN PETERS

GIL SAPIR

ATTORNEYS FOR GREGORY MAY

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Chicago, Illinois 60605

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*United States District Court of the Northern District of Illinois*

**DOCUMENT DEFICIENCY NOTICE**

Case Number: 99C 395

Judge: Schenker

The attached document was accepted for filing pursuant to the provisions of the General Order of 27 November 1991. The party was advised that the document appeared not to be in compliance with a federal rule, local rule, or local procedure as indicated below. The party presenting the document was informed of this information but insisted that the document be filed.

☐ Document was not bound at the top or was on incorrect paper.

☐ Pleading was not signed.

Court order to file one of the following documents was not obtained:

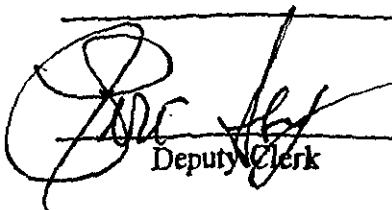
- ☐ Third party complaint.
- ☐ Brief in excess of 15 pages.
- ☐ Amended pleading.
- ☐ Exhibits or discovery material.

☐ Document should have been filed in chambers or with the courtroom deputy.

☒ Certificate of service was not attached.

☐ Presentment date on notice of motion does not match with date on your schedule.

☐ Other (Please Specify) \_\_\_\_\_  
\_\_\_\_\_

  
Deputy Clerk

2/5/02  
Date